

DAILY DIGEST

Vol. 16, No. 35

February 21,1997

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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The following items were adopted at the February 20, 1997, Commission meeting and released later that day.

NEWS RELEASES

FCC AMENDS ITS COMPETITIVE BIDDING RULES -- WT DOCKET NO. 97-82, PP DOCKET NO. 93-253 (REPORT NO. WT 97-6, WIRELESS TELECOMMUNICATIONS ACTION). The Commission adopted procedural changes to its auction procedures, finding that these changes will benefit bidders and the auction process generally. Action by the Commission February 20, 1997, by Order, Memorandum Opinion & Order and Notice of Proposed Rulemaking (FCC 97-60). Adopted: February 20, 1997. News Media Contact: Audrey Spivack (202) 418-0654. WTB Contact: Mark Bollinger at (202) 418-0660.

"FCC ADOPTS CONSOLIDATION PLAN FOR THE PRIVATE LAND MOBILE RADIO SERVICES -- PR DOCKET NO. 92-235 (REPORT NO. WT 97-5, WIRELESS TELECOMMUNICATIONS ACTION) . The Commission adopted rules that set forth a consolidation plan for the Private Land Mobile Radio Services below 800 MHz and addressed other issues raised in conjunction with the consolidation. Action by the Commission February 20, 1997, by Second Report & Order (FCC 97-61). Adopted: February 20, 1997. News Media Contact: Audrey Spivack (202) 418-0654. WTB Contact: Ira Keltz at (202) 418-0616."

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The following items are dated for and released on February 21, 1997:

NEWS RELEASES

FCC FILINGS. OPA. Internet URL: <https://www.fcc.gov/filings.html>

FCC CALENDAR OF EVENTS. OPA. Internet URL: <https://www.fcc.gov/calendar.html>

NEW PROCEDURE FOR ORDERING COPIES OF FCC AUDIO AND VIDEO TAPES; ONE COPY LIMIT ESTABLISHED. OPA Contact: Dann Oliver or Jeff Riordan at (202) 418-0460. Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1997/nrmc7009.txt

PUBLIC NOTICES

Released: February 21, 1997. PART 68 PLUG/JACK & WIRING ATTESTATION LISTS.

Released: February 21, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - DOMINANT CARRIERS - FEBRUARY 20. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Dominant/d022197.pdf

Released: February 21, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - NON-DOMINANT CARRIERS - FEBRUARY 20. Internet URL:

https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd022197.pdf

Report No: TEL-68-A. Released: February 21, 1997. STREAMLINED INTERNATIONAL SECTION 214 APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18).

Report No: TEL-68-B. Released: February 21, 1997. NON-STREAMLINED INTERNATIONAL SECTION 214 AND CABLE LANDING LICENSE APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18 AND 1.767) - APPLICATIONS NOT SUBJECT TO STREAMLINED PROCESSING.

Released: February 21, 1997. FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC. (DA No. 97-357).

Report No: CL-97-36. Released: February 21, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICE INFORMATION.

Report No: LB-97-21. Released: February 21, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS SERVICE INFORMATION. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnwl7049.txt

Released: February 21, 1997. WIRELESS TELECOMMUNICATIONS BUREAU CORRECTS COMMENT DATES REGARDING AMERITECH REQUEST FOR LIMITED WAIVER OF SECTION 22.903 OF THE COMMISSION'S RULES TO FACILITATE PROVISION OF TEMPORARY CELLULAR SERVICE IN THE STATE OF OHIO. Comments due March 10; replies March 17. (DA No. 97-388). Contact: Jane Halprin, Commercial Wireless Division, Wireless Telecommunications Bureau at (202) 418-0620. Internet URL:

https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da970388.txt

TEXTS

INVESTIGATION OF AMERITECH NEW EXPANDED INTERCONNECTION OFFERINGS. Suspended for one day from the effective date the revisions to Ameritech Tariff F.C.C. No. 2, Transmittal No. 1045 and 1060; instituted investigation of the tariff transmittals. Dkt No.: CC- 96-185. Action by Chief, Competitive Pricing Division, Common Carrier Bureau. Adopted: February 21, 1997. by Order. (DA No. 97-389). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/da970389.txt

CABLEVISION VII, INC. Granted rate appeal request of Cablevision VII, Inc., the franchised operator of a cable television system serving Fort Madison, Iowa, because the City's order denying the system's annual service and equipment rate adjustment did not specify any reason for the denial. Action by Chief, Cable Services Bureau. Adopted: February 18, 1997. by MO&O. (DA No. 97-365). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970365.txt>

TCI TKR OF GEORGIA, INC. Dismissed complaints filed about the rate that TCI TKR of Georgia, Inc., was charging for its cable programming services tier in Omega, Georgia, because the complaints concern a rate that is

outside the jurisdiction of the FCC. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 14, 1997. by Order. (DA No. 97-368). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970368.txt>

CHAMBERS CABLE OF OREGON. Dismissed a complaint against the rates that Chambers Cable of Oregon was charging for its cable programming services tier in Sunriver, Oregon, because the complaint concerned rates that are outside the jurisdiction of the FCC. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 14, 1997. by Order. (DA No. 97-363). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970363.txt>

COAXIAL COMMUNICATIONS, INC. Dismissed complaints about the rate that Coaxial Communications, Inc. was charging for its cable programming services tier in Pickerington, Ohio, because the complaints concern a rate that is outside the jurisdiction of the FCC. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 14, 1997. by Order. (DA No. 97-362). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970362.txt>

FALCON CABLE SYSTEMS COMPANY. Dismissed a complaint against the rates that Falcon Cable Systems charged for its basic programming services tier in Monterey County, California, because the complaint concerns rates that are outside the jurisdiction of the FCC. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 14, 1997. by Order. (DA No. 97-361). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970361.txt>

IDALOU, TEXAS. Proposed amending FM Table of allot Channel 299A to Idalou, Texas; Comments Due: April 14, 1997, Reply Comment Date: April 29, 1997. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: February 14, 1997. by NPRM. (DA No. 97-340). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970340.txt

EL RENO, OKLAHOMA. Proposed amending FM Table to allot Channel 293A to El Reno, OK, as the community's first local FM transmission service; Comments: April 14, 1997, Reply Comment Date: April 29, 1997. Dkt No.: MM-97-70. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: February 14, 1997. by NPRM. (DA No. 97-337). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da970337.txt

ADDENDA: The following items, released February 20, 1997, did not appear in Digest No. 34:

NEWS RELEASES

****COMMON CARRIER BUREAU OUTLINES ACCOMPLISHMENTS SINCE ENACTMENT OF THE 1996 ACT - A COMPILATION OF MAJOR PROCEEDINGS AND INITIATIVES BY THE BUREAU.** News Media Contact: Rochelle Cohen (202) 418-0253. CCB.

COMMON CARRIER ACTION - NANC SEEKS PROPOSALS FROM ENTITIES INTERESTED IN SERVING AS NORTH AMERICAN NUMBERING PLAN ADMINISTRATOR. Report No: CC 97-8. News Media Contact: Rochelle Cohen (202) 418-0253. CCB Contact: Marian Gordon at (202) 418-2337 and Scott Shefferman at (202) 418-2332.

COMMISSION PROPOSES NEW LICENSING APPROACH AND PUBLIC SAFETY SET ASIDE FOR SPECTRUM ALLOCATED FOR MULTIPLE ADDRESS SYSTEMS -- PR DOCKET NO. 93-253 (REPORT NO. WT-97-8, WIRELESS TELECOMMUNICATIONS ACTION). The Commission adopted a Notice of Proposed Rule Making examining ways to maximize use of spectrum allocated to Multiple Address Systems. Action by the Commission February 19, 1997, by Notice of Proposed Rulemaking (FCC 97-58). News Media

Contact: Audrey Spivack (202) 418-0654. WTB Contact: Herb Zeiler at (202) 418-0680. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/News_Releases/1997/nrw17016.txt

GEOGRAPHIC AREA LICENSING AND COMPETITIVE BIDDING PROCEDURES ADOPTED FOR CCP AND 929 MHZ PAGING SERVICES; COMMENTS SOUGHT -- WT DOCKET 96-18, PP DOCKET 93-253 (REPORT NO. WT-97-7, WIRELESS TELECOMMUNICATIONS ACTION). The Commission adopted rules governing geographic area licensing of Common Carrier Paging (CCP) and 929 MHz Private Carrier Paging (PCP). All mutually exclusive applications for non-nationwide CCP licenses and exclusive non-nationwide 929 MHz channels will be subject to competitive bidding procedures. Action by the Commission February 19, 1996, by Second Report & Order and Further Notice of Proposed Rulemaking (FCC 97-59). News Media Contact: Audrey Spivack (202) 418-0654. WTB Contact: Mika Savir at (202) 418-0620. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/News_Releases/1997/nrw17015.txt

PUBLIC NOTICES

Released: February 20, 1997. COMMON CARRIER BUREAU SEEKS FURTHER COMMENT ON SPECIFIC QUESTIONS IN CPNI RULEMAKING - CC DOCKET NO. 96-115. Comments due March 17; replies March 27. (DA No. 97-385). Contact: Dorothy Tynne Attwood at (202) 418-1580. Internet URL:
https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da970385.txt

Report No: D-912. Released: February 20, 1997. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS ACCEPTED FOR FILING.

Report No: 43933. Released: February 20, 1997. BROADCAST ACTIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac970221.txt

Report No: 23933. Released: February 20, 1997. BROADCAST APPLICATIONS. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970221.txt

Report No: B-191. Released: February 20, 1997. NON-COMMERCIAL EDUCATIONAL FM BROADCAST APPLICATIONS ACCEPTED FOR FILING AND NOTIFICATION OF MARCH 27 CUT-OFF DATE.

Report No: A-308. Released: February 20, 1997. NON-COMMERCIAL EDUCATIONAL FM BROADCAST APPLICATIONS ACCEPTED FOR FILING AND NOTIFICATION OF MARCH 27 CUT-OFF DATE.

Report No: NA-201. Released: February 20, 1997. NOTICE OF ACCEPTANCE OF FM BROADCAST APPLICATIONS AND NOTIFICATION OF MARCH 27 PETITION TO DENY DEADLINE. Internet URL:
https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm7025.txt

Released: February 20, 1997. WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON AMERITECH REQUEST FOR LIMITED WAIVER OF SECTION 22.903 OF THE COMMISSION'S RULES TO FACILITATE PROVISION OF TEMPORARY CELLULAR SERVICE IN THE STATE OF OHIO. (DA No. 97-383). Contact: Jane Halprin or Mika Savir, Commercial Wireless Division at (202) 418-0620. Internet URL:
https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da970383.txt

TEXTS

COMPLAINTS FILED PURSUANT TO SECTION 208 OF THE COMMUNICATIONS ACT. Denied 192 formal complaints filed by 15 interexchange carriers against various Bell Operating Companies and the American Telegraph and Telephone Company pursuant to Section 208 of the Communications Act of 1934, as amended; terminated proceeding. Action by the Commission. Adopted: February 11, 1997. by MO&O. (FCC No. 97-44). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97044.txt

RESPONSIBLE ACCOUNTING OFFICER LETTER 20, UNIFORM ACCOUNTING FOR POSTRETIREMENT BENEFITS OTHER THAN PENSIONS IN PART 32. Amended Part 65 of FCC's rules to include postretirement benefits other than pensions (OPEB) in ratemaking and to remove all items recorded in account 4310 that were derived from above-the-line expenses from the interstate rate base; denied MCI's petition for reconsideration of FCC's Order to Vacate. Dkt No.: CC- 96-22. Action by the Commission. Adopted: February 19, 1997. by R&O. (FCC No. 97-56). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97056.txt

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY AND NEW YORK TELEPHONE COMPANY PETITION FOR FORBEARANCE FROM JURISDICTIONAL SEPARATIONS RULES. Denied New England Telephone and Telegraph Company's and the New York Telephone Company's petition requesting that the Commission forbear from applying its current Part 36 jurisdictional separations rules to incumbent local exchange carriers subject to FCC price cap rules, pursuant to Section 10 of the Communications Act of 1934, as amended. Action by the Commission. Adopted: February 19, 1997. by Order. (FCC No. 97-54). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97054.txt

**AMENDMENT OF PARTS 32 AND 64 OF THE COMMISSION'S RULES TO ACCOUNT FOR TRANSACTION BETWEEN CARRIERS AND THEIR NONREGULATED AFFILIATES. Terminated as moot the proceeding concerning the amendment of Parts 32 and 64 of the FCC's rules to account for transactions between carriers and their nonregulated affiliates. Dkt No.: CC- 93-251. Action by the Commission. Adopted: February 19, 1997. by Order. (FCC No. 97-55). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97055.txt

Q.M. TOMLINSON, INC., ROANOKE, VIRGINIA. Granted in part and denied in all other respects Q.M. Tomlinson, Inc.'s Petition for Reconsideration, requesting reconsideration of the monetary forfeiture of \$7,500 issued for violation of Section 503(b) of the Communications Act of 1934, as amended and Section 90.439 of the Commission's Rules; reduced monetary forfeiture to \$5,000. Action by Chief, Compliance and Information Bureau. Adopted: February 12, 1997. by Order. (DA No. 97-360). CIB Internet URL: <https://www.fcc.gov/Bureaus/Compliance/Orders/1997/da970360.txt>

BLACKSHIP COMPUTER SYSTEMS, SAN JOSE, CALIFORNIA. Denied Blackship Computer Systems Petition for Reconsideration requesting review of the \$5,600 monetary forfeiture issued for violation of Section 302 of the Communications Act of 1934, as amended and Section 2.803 of the Commission's Rules. Action by Chief, Compliance and Information Bureau. Adopted: February 12, 1997. by Order. (DA No. 97-359). CIB Internet URL: <https://www.fcc.gov/Bureaus/Compliance/Orders/1997/da970359.txt>

MICROWAVE SATELLITE TECHNOLOGIES, INC. Granted Microwave Satellite Technologies, Inc., certification to operate an open video system in New York, New York. Action by Chief, Cable Services Bureau. by MO&O. (DA No. 97-384). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da970384.txt>

**IMPLEMENTATION OF SECTION 304 OF THE TELECOMMUNICATIONS ACT OF 1996 - COMMERCIAL AVAILABILITY OF NAVIGATION DEVICES. Dkt No.: CS- 97-80. Action by the Commission. Adopted: February 11, 1997. by NPRM. (FCC No. 97-53). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Notices/1997/fcc97053.txt>

ADDENDA: The following items, released February 19, 1997, did not appear in Digest No. 33:

PUBLIC NOTICES

Released: February 19, 1997. BROADBAND PERSONAL COMMUNICATIONS SERVICES D, E, AND F BLOCKS SERVICE INFORMATION - APPLICATIONS ACCEPTED FOR FILING AUCTION EVENT NO. 11. (DA No. 97-356). Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da970356.txt

SPEECHES

FOREIGN CARRIER AFFILIATION NOTIFICATION.

ADDENDA: The following items, released February 18, 1997, did not appear in Digest No. 32:

TEXTS

REGULATORY REFORM FOR LOCAL EXCHANGE CARRIERS SUBJECT TO RATE OF RETURN REGULATION. Denied petitions for reconsideration and clarification concerning the regulatory reforms for local exchange carriers subject to rate-of-return regulation, EXCEPT TO THE EXTENT GRANTED HEREIN Denied petitions for reconsideration and clarification concerning the regulatory reforms for local exchange carriers subject to rate-of-return regulation, EXCEPT TO THE EXTENT GRANTED HEREIN. Dkt No.: CC-92-135. Adopted: February 10, 1997. (FCC No. 97-41). CCB